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Nos. ~~500~~ 17 and ~~501~~ 18

In the Supreme Court of the United States

OCTOBER TERM, 1960

INTERSTATE COMMERCE COMMISSION, APPELLANT

v.

J-T TRANSPORT COMPANY, INC., ET AL.

U.S.A.C. TRANSPORT, INC., ET AL., APPELLANTS

v.

J-T TRANSPORT COMPANY, INC., ET AL.

ON APPEALS FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

MEMORANDUM FOR THE UNITED STATES

J. LEE RANKIN,
Solicitor General,
Department of Justice, Washington 25, D.C.

In the Supreme Court of the United States

OCTOBER TERM, 1960

No. 563

INTERSTATE COMMERCE COMMISSION, APPELLANT

v.

J-T TRANSPORT COMPANY, INC., ET AL.

No. 564

U.S.A.C. TRANSPORT, INC., ET AL., APPELLANTS

v.

J-T TRANSPORT COMPANY, INC., ET AL.

ON APPEALS FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

MEMORANDUM FOR THE UNITED STATES

The above appeals are from the judgment of a three-judge district court setting aside orders of the Interstate Commerce Commission which denied a permit to a motor carrier to engage in contract carriage operations. In the district court, the United States supported the Commission's orders, but it decided, on further analysis of the facts and issues, not to appeal from the district court's adverse judgment. The Gov-

ernment nevertheless believes that the appeals present issues of public importance, upon which this Court has not passed, involving the proper construction of certain 1957 amendments to the Interstate Commerce Act. In our view, therefore, the Court should note probable jurisdiction of the appeals.

Respectfully submitted.

J. LEE RANKIN,
Solicitor General.

DECEMBER 1960.